

**BEFORE THE TENNESSEE REGULATORY AUTHORITY AT**

**NASHVILLE, TENNESSEE**

**February 14 , 2005**

**IN RE:**

**TARIFF FILING BY EVERCOM SYSTEMS, INC.  
TO INTRODUCE \$1.50 BILL STATEMENT FEE  
FOR COLLECT CALLS FROM CONFINEMENT  
FACILITIES - Tariff Number 2004-1448**

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**DOCKET NO.  
04-00414**

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**ORDER SUSPENDING TARIFF IN PART**



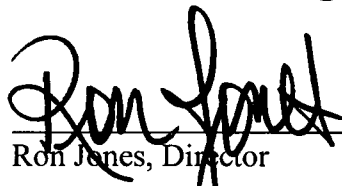
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This matter came before Chairman Pat Miller, Director Deborah Taylor Tate and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority" or "TRA"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on December 13, 2004 for consideration of the Tariff Filing to Introduce \$1.50 Bill Statement Fee for Collect Calls from Confinement Facilities – Tariff Number 2004-1448, filed by Evercom Systems, Inc. ("Evercom"). Evercom filed the tariff on November 24, 2004 with a proposed effective date of December 30, 2004. On December 3, 2004, Evercom filed an amendment to its November 24, 2004 tariff filing. As amended, the tariff proposes to implement a bill statement fee of \$1.95, which may be applied to a consumer's local exchange carrier bill in each month in which collect calls from confinement facilities are billed and would apply regardless of the number of calls made.

Upon consideration of this matter, the panel voted unanimously to allow the tariff to go into effect to the extent the tariff rate is below or equal to the \$1.50 interim rate established by the Authority on July 26, 2004 in *In re: Generic Docket to Examine Tariffs Setting Rates for*

*Inmate Pay Phone Usage*, TRA Docket No. 04-00166.<sup>1</sup> However, the panel further voted unanimously to suspend the tariff to the extent that the tariff rate exceeds the interim rate established in TRA Docket No. 04-00166. The panel found that such suspension was in the public interest and ordered the suspension to remain in effect pending the resolution of TRA Docket No. 04-00166 and the rulemaking in *In re: Tennessee Regulatory Authority Rulemaking to Amend Chapter 1220-4-2-.43 through .54 Known as Pay Telephone Rules*, TRA Docket No. 04-00211.

**IT IS SO ORDERED.**

  
Pat Miller, Chairman  
Deborah Taylor Tate, Director  
Ron Jones, Director

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<sup>1</sup> See Transcript of Authority Conference, pp 26 - 30 (July 26, 2004) for a discussion of the interim rate